

# State of South Dakota

## SEVENTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2000

555D0499

### HOUSE BILL NO. 1126

Introduced by: Representatives Wudel, Brooks, Chicoine, Pummel, and Putnam and Senators  
Vitter, Dunn (Jim), Reedy, and Rounds

1 FOR AN ACT ENTITLED, An Act to clarify the provision of municipal water and sewer  
2 services outside of municipal boundaries.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 9-47-28 be amended to read as follows:

5 9-47-28. ~~Every~~ Each building in which plumbing fixtures are installed shall ~~be connected~~  
6 connect to a public water supply system if available. A public water system is available to a  
7 premise used for human occupancy if the property line of ~~such~~ the premise is within two hundred  
8 feet of ~~such~~ the system. A municipality may purchase, lease with purchase option, lease, or  
9 otherwise acquire from the owners ~~thereof~~, any preexisting private wells located within the  
10 municipality. The provisions of this section do not apply to municipalities of the first class.  
11 Nothing in this section requires any municipality to provide any municipal service outside of its  
12 municipal boundaries.

13 Section 2. That § 9-48-53 be amended to read as follows:

14 9-48-53. ~~Every~~ Each building in which plumbing fixtures are installed shall ~~be connected~~  
15 connect to a public water sewer system if available. A public sewer system is available to a  
16 premise used for human occupancy if the property line of ~~such~~ the premise is within two hundred

1 feet of ~~such~~ the system. A municipality may purchase, lease with purchase option, lease, or  
2 otherwise acquire from the owners~~thereof~~, or condemn pursuant to subdivision 9-12-1(2), any  
3 preexisting private sewers located within the municipality. The provisions of this section do not  
4 apply to municipalities of the first class. Nothing in this section requires any municipality to  
5 provide any municipal service outside of its municipal boundaries.